



February 21, 2003

HOUSE BILL No. 1120

DIGEST OF HB 1120 (Updated February 12, 2003 6:10 PM - DI 109)

Citations Affected: IC 20-1; IC 20-8.1; noncode.

Synopsis: School corporation performance report. Changes the required publication date and some components of school corporation annual performance reports. Provides for reports to be made available on the Internet. Requires school corporations to provide free copies of reports upon request. Removes language concerning the performance based accreditation program.

Effective: July 1, 2003.

Porter, Scholer

January 7, 2003, read first time and referred to Committee on Education.
February 17, 2003, amended, reported — Do Pass. Recommitted to Committee on Ways and Means.
February 20, 2003, referral to Committee on Ways and Means withdrawn.

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HB 1120—LS 6935/DI 109+



February 21, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1120

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-1-21-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. **(a)** Not earlier than
3 ~~September 1~~ **January 15** or later than ~~September 15~~ **January 31** of
4 each year, the governing body of a school corporation shall publish an
5 annual performance report of the school corporation, in compliance
6 with the procedures identified in section 8 of this chapter. The report
7 must be published one (1) time annually under IC 5-3-1.

8 **(b) The department shall make each school corporation's annual**
9 **performance report available on the department's Internet web**
10 **site. The governing body of a school corporation may make the**
11 **school corporation's annual performance report available on the**
12 **school corporation's Internet web site.**

13 **(c) The governing body of a school corporation shall provide a**
14 **copy of the annual performance report to any person who requests**
15 **a copy. The governing body may not charge a fee for providing the**
16 **copy.**

17 SECTION 2. IC 20-1-21-7, AS AMENDED BY P.L.221-1999,

HB 1120—LS 6935/DI 109+



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SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7. A report must contain the following:

(1) The ~~benchmarks and indicators of performance information~~ listed in section 9 of this chapter for each of the preceding three (3) years.

(2) Additional components determined under section 8(4) of this chapter.

~~(3) A comparison of the benchmarks described in section 9(1) through 9(3) of this chapter to performance based accreditation goals developed under IC 20-1-1.2.~~

~~(4)~~ **(3)** Additional information or explanation that the governing body wishes to include, including **the following**:

(A) Results of assessments of students under programs other than the ISTEP program that a school corporation uses to determine if students are meeting or exceeding academic standards in grades that are not tested under the ISTEP program.

(B) The number and types of staff professional development programs.

(C) The number and types of partnerships with the community, business, or higher education.

(D) Levels of parental participation.

SECTION 3. IC 20-1-21-8, AS AMENDED BY P.L.221-1999, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. The state superintendent and the Indiana state board of education, in consultation with school corporations, educational organizations, appropriate state agencies, and other organizations and individuals having an interest in education, shall develop and periodically revise the following for the benchmarks and indicators of performance under section 9 of this chapter and the additional components of the performance report:

(1) Reporting procedures, including the following:

(A) A determination of the information that a school corporation must compile and the information that the department must compile.

(B) A determination of the information required on a school by school basis and the information required on a school corporation basis.

(C) A common format suitable for publication, including tables, graphics, and explanatory text.

(2) Operational definitions.

(3) Standards for implementation.



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(4) Additional components for the report that may be benchmarks, indicators of performance, or other information.

~~(5) Targets identified in performance based accreditation goals developed under IC 20-1-1.2 for certain benchmarks and a reporting system that measures schools and school corporations against the targets.~~

SECTION 4. IC 20-1-21-9, AS AMENDED BY P.L.237-2001, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. ~~Beginning with the report published in 2002,~~ The report must include the following ~~benchmarks or indicators of performance:~~ **information:**

(1) **Student enrollment.**

(2) Graduation rate **(as defined in IC 20-8.1-15-6).**

~~(2) (3)~~ Attendance rate.

~~(3) (4)~~ The following test scores, including the number and percentage of students meeting academic standards:

(A) ISTEP test scores.

(B) Scores for assessments under IC 20-10.1-16-15, if appropriate.

(C) For a freeway school, scores on a locally adopted assessment program, if appropriate.

~~(4) Actual~~ (5) **Average** class size.

~~(5) (6)~~ The number and percentage of students in the following groups or programs:

(A) ~~At risk.~~ **Alternative education, if offered.**

(B) Vocational education.

(C) Special education.

(D) Gifted or talented, **if offered.**

(E) Remediation. ~~and preventive remediation.~~

(F) Limited English language proficiency.

(G) Students receiving free or reduced price lunch under the national school lunch program.

~~(6) (7)~~ Advanced placement, including the following:

(A) For advanced placement tests, the ~~number and~~ percentage of students:

(i) scoring three (3), four (4), and five (5); and

(ii) ~~participating.~~ **taking the test.**

(B) For the Scholastic Aptitude Test:

(i) test scores for all students taking the test;

(ii) test scores for students completing the academic honors diploma program; and

(iii) the ~~number and~~ percentage of students ~~participating.~~

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taking the test.

~~(7)~~ **(8)** Course completion, including the number and percentage of students completing the following programs:

(A) Academic honors diploma.

(B) Core 40 curriculum.

(C) Vocational programs.

(9) The percentage of grade 8 students enrolled in algebra I.

~~(8)~~ **(10)** The percentage of graduates who pursue higher education.

~~(9)~~ **(11)** School safety, including the number and percentage of students receiving suspension or expulsion for the possession of alcohol, drugs, or weapons.

~~(10)~~ **(12)** Financial information and various school cost factors, relevant to performance, including the following:

(A) Expenditures per pupil.

(B) Average teacher salary.

(C) Remediation funding.

~~(11)~~ **(13)** Technology accessibility and use of technology in instruction.

~~(12)~~ Staff professional development, including the type and extent of opportunities available.

~~(13)~~ **(14)** Interdistrict and intradistrict student mobility rates, if that information is available.

~~(14)~~ Number and types of partnerships with the community, business, or higher education.

(15) Teacher licensing, certification, and preparation, including The number and percentage of teachers with national board certification, each of the following within the school corporation:

(A) Teachers who are certificated employees (as defined in IC 20-7.5-1-2).

(B) Teachers who teach the subject area for which the teacher is certified and holds a license.

(C) Teachers with national board certification.

(16) The percentage of grade 3 students reading at or above grade 3 level.

(17) A comparison of ISTEP scores and the dropout rate. The number of students expelled, including the number participating in other recognized education programs during their expulsion.

(18) Chronic absenteeism, which includes the number of students who have been absent more than ten (10) days from

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1 school within a school year without being excused.

2 (19) Other indicators of performance as recommended by the
3 education roundtable (IC 20-1-20.5-3).

4 SECTION 5. IC 20-8.1-15 IS ADDED TO THE INDIANA CODE
5 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2003]:

7 **Chapter 15. Graduation Rate Determination**

8 **Sec. 1. This chapter applies to:**

- 9 (1) a public high school; and
10 (2) an accredited nonpublic high school.

11 **Sec. 2. As used in this chapter, "cohort" refers to a class of**
12 **students within a high school who have the same expected**
13 **graduation year.**

14 **Sec. 3. As used in this chapter, "enrollment" means the total**
15 **number of students within a grade that is reported to the**
16 **department annually on:**

- 17 (1) October 1; or
18 (2) a date specified by the department.

19 **Sec. 4. As used in this chapter, "expected graduation year"**
20 **means the reporting year beginning three (3) years after the**
21 **reporting year in which a student is first considered by a school**
22 **corporation to have entered grade 9.**

23 **Sec. 5. (a) As used in this chapter, "graduation" means the**
24 **successful completion by a student of:**

- 25 (1) a sufficient number of academic credits, or the equivalent
26 of academic credits; and
27 (2) the graduation examination or waiver process required
28 under IC 20-10.1-16;

29 **resulting in the awarding of a high school diploma or an academic**
30 **honors diploma.**

31 **(b) The term does not include the granting of a general**
32 **educational development diploma under IC 20-10.1-12.1.**

33 **Sec. 6. As used in this chapter, "graduation rate" means the**
34 **percentage of students within a cohort who graduate during their**
35 **expected graduation year.**

36 **Sec. 7. As used in this chapter, "reporting year" refers to the**
37 **period beginning October 1 of a year and ending September 30 of**
38 **the following year.**

39 **Sec. 8. As used in this chapter, "retention" refers to the**
40 **reclassification by a school corporation of a student that places the**
41 **student into a cohort that has an expected graduation year after**
42 **the expected graduation year of the student's initial cohort.**



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1 **Sec. 9. Beginning with the class of students who expect to**
 2 **graduate in the 2005-2006 school year, the department shall**
 3 **determine the graduation rate of high school students under this**
 4 **chapter.**

5 **Sec. 10. The graduation rate for a cohort in a high school is the**
 6 **percentage determined under STEP SEVEN of the following**
 7 **formula:**

8 **STEP ONE: Determine the grade 9 enrollment at the**
 9 **beginning of the reporting year three (3) years before the**
 10 **reporting year for which the graduation rate is being**
 11 **determined.**

12 **STEP TWO: Add:**

13 **(A) the number determined under STEP ONE; and**

14 **(B) the number of students who:**

15 **(i) have enrolled in the high school after the date on**
 16 **which the number determined under STEP ONE was**
 17 **determined; and**

18 **(ii) have the same expected graduation year as the**
 19 **cohort.**

20 **STEP THREE: Add:**

21 **(A) the sum determined under STEP TWO; and**

22 **(B) the number of retained students from earlier cohorts**
 23 **who became members of the cohort for whom the**
 24 **graduation rate is being determined.**

25 **STEP FOUR: Add:**

26 **(A) the sum determined under STEP THREE; and**

27 **(B) the number of students who:**

28 **(i) began the reporting year in a cohort that expects to**
 29 **graduate during a future reporting year; and**

30 **(ii) graduate during the current reporting year.**

31 **STEP FIVE: Subtract from the sum determined under STEP**
 32 **FOUR the number of students who have left the cohort for**
 33 **any of the following reasons:**

34 **(A) Transfer to another public or nonpublic school.**

35 **(B) Removal by the student's parents under IC 20-8.1-3-34**
 36 **to provide instruction equivalent to that given in the public**
 37 **schools.**

38 **(C) Withdrawal because of a long term medical condition**
 39 **or death.**

40 **(D) Detention by a law enforcement agency or the**
 41 **department of correction.**

42 **(E) Placement by a court order or the division of family**



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1 and children.

2 (F) Enrollment in a virtual school.

3 (G) Graduation before the beginning of the reporting year.

4 (H) Students who have left school and whose location
5 cannot be determined.

6 **STEP SIX: Determine the total number of students who have
7 graduated during the current reporting year.**

8 **STEP SEVEN: Divide:**

9 (A) the number determined under STEP SIX; by

10 (B) the remainder determined under STEP FIVE.

11 **SECTION 6. [EFFECTIVE JULY 1, 2003] (a) Notwithstanding**
12 **IC 20-1-21-4, as amended by this act, the governing body of a**
13 **school corporation is not required to publish an annual**
14 **performance report of the school corporation in calendar year**
15 **2003. However, the annual performance report of a school**
16 **corporation that is published in January 2004 must include the**
17 **information that would have been included in the annual**
18 **performance report published in 2003 if IC 20-1-21-4 had not been**
19 **amended by this act.**

20 (b) This SECTION expires February 1, 2004.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1120, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 13, delete "." and insert "**(as defined in IC 20-8.1-15-6).**".

Page 3, line 36, after "(5);" reset in roman "and".

Page 3, line 36, delete "or".

Page 4, line 41, after "(18)" insert "**Chronic absenteeism, which includes the number of students who have been absent more than ten (10) days from school within a school year without being excused.**

(19)".

Page 4, after line 42, begin a new paragraph and insert:

"SECTION 5. IC 20-8.1-15 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

Chapter 15. Graduation Rate Determination

Sec. 1. This chapter applies to:

- (1) a public high school; and**
- (2) an accredited nonpublic high school.**

Sec. 2. As used in this chapter, "cohort" refers to a class of students within a high school who have the same expected graduation year.

Sec. 3. As used in this chapter, "enrollment" means the total number of students within a grade that is reported to the department annually on:

- (1) October 1; or**
- (2) a date specified by the department.**

Sec. 4. As used in this chapter, "expected graduation year" means the reporting year beginning three (3) years after the reporting year in which a student is first considered by a school corporation to have entered grade 9.

Sec. 5. (a) As used in this chapter, "graduation" means the successful completion by a student of:

- (1) a sufficient number of academic credits, or the equivalent of academic credits; and**
- (2) the graduation examination or waiver process required under IC 20-10.1-16;**

resulting in the awarding of a high school diploma or an academic honors diploma.



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(b) The term does not include the granting of a general educational development diploma under IC 20-10.1-12.1.

Sec. 6. As used in this chapter, "graduation rate" means the percentage of students within a cohort who graduate during their expected graduation year.

Sec. 7. As used in this chapter, "reporting year" refers to the period beginning October 1 of a year and ending September 30 of the following year.

Sec. 8. As used in this chapter, "retention" refers to the reclassification by a school corporation of a student that places the student into a cohort that has an expected graduation year after the expected graduation year of the student's initial cohort.

Sec. 9. Beginning with the class of students who expect to graduate in the 2005-2006 school year, the department shall determine the graduation rate of high school students under this chapter.

Sec. 10. The graduation rate for a cohort in a high school is the percentage determined under STEP SEVEN of the following formula:

STEP ONE: Determine the grade 9 enrollment at the beginning of the reporting year three (3) years before the reporting year for which the graduation rate is being determined.

STEP TWO: Add:

- (A) the number determined under STEP ONE; and
- (B) the number of students who:
 - (i) have enrolled in the high school after the date on which the number determined under STEP ONE was determined; and
 - (ii) have the same expected graduation year as the cohort.

STEP THREE: Add:

- (A) the sum determined under STEP TWO; and
- (B) the number of retained students from earlier cohorts who became members of the cohort for whom the graduation rate is being determined.

STEP FOUR: Add:

- (A) the sum determined under STEP THREE; and
- (B) the number of students who:
 - (i) began the reporting year in a cohort that expects to graduate during a future reporting year; and
 - (ii) graduate during the current reporting year.



STEP FIVE: Subtract from the sum determined under STEP FOUR the number of students who have left the cohort for any of the following reasons:

- (A) Transfer to another public or nonpublic school.**
- (B) Removal by the student's parents under IC 20-8.1-3-34 to provide instruction equivalent to that given in the public schools.**
- (C) Withdrawal because of a long term medical condition or death.**
- (D) Detention by a law enforcement agency or the department of correction.**
- (E) Placement by a court order or the division of family and children.**
- (F) Enrollment in a virtual school.**
- (G) Graduation before the beginning of the reporting year.**
- (H) Students who have left school and whose location cannot be determined.**

STEP SIX: Determine the total number of students who have graduated during the current reporting year.

STEP SEVEN: Divide:

- (A) the number determined under STEP SIX; by**
- (B) the remainder determined under STEP FIVE."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1120 as introduced.)

PORTER, Chair

Committee Vote: yeas 11, nays 0.

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